

The Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TIMOTHY MANTIE,

Defendant.

No. CR18-217- RSM

**PRELIMINARY
ORDER OF FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for Entry of a Preliminary Order of Forfeiture ("Motion") seeking to forfeit, to the United States, Defendant Timothy Mantie's interest in the following property:

- A. Approximately \$15,000 in U.S. currency, seized on or about October 10, 2019 from a residence located at 2719 84th Drive NE, Lake Stevens, Washington;
- B. Approximately \$5,119 in U.S. currency, seized on or about October 10, 2019 from a residence located at 2719 84th Drive NE, Lake Stevens, Washington;
- C. Approximately \$900.00 in U.S. currency, seized on or about October 10, 2019 from a residence located at 2719 84th Drive NE, Lake Stevens, Washington;
- D. Assorted watches and jewelry, seized on or about October 10, 2019 from a residence located at 2719 84th Drive NE, Lake Stevens, Washington,

including items further described in the Second Forfeiture Bill of Particulars (Dkt. No. 335), filed in this cause number on March 26, 2020, on pages 1-2 at paragraph 2(a)(1) through 2(a)(5), and in the Second Protective Order Restraining Certain Forfeitable Property (Dkt. No. 341), entered in this cause number on April 3, 2020, on pages 1-2 at paragraphs a(1) through a(5), specifically:

1. One Rolex President Day-Date yellow gold wrist watch, serial no. N0816295;
2. One Rolex President Day-Date yellow gold wrist watch, serial no. 6445613;
3. One 14kt gold and diamond necklace;
4. One men's 14kt yellow gold and diamond ring; and
5. One 14kt white gold and diamond ring.

E. Assorted watches and jewelry, seized on or about October 10, 2019 from storage unit #2357, located at 3615 McDougall Avenue, Everett, Washington, including items further described in the Second Forfeiture Bill of Particulars (Dkt. No. 335), filed in this cause number on March 26, 2020, on pages 2-4 at paragraphs 2(b)(1) through 2(b)(31), and in the Second Protective Order Restraining Certain Forfeitable Property (Dkt. No. 341), entered in this cause number on April 3, 2020, on pages 2-3 at paragraphs b(1) through b(31), specifically:

1. One Breitling Super Avenger wrist watch;
2. One Breitling Bentley model A44632 wrist watch;
3. One Jacob & Co. Six Time Zone wrist watch;
4. One Jacob & Co. Five Time Zone Replica wrist watch;
5. One Rolex President Day-Date model 18038 wrist watch, serial no. 8452503;

6. One Rolex President Day-Date model 18078 wrist watch, serial no. 7619813;
7. One 14kt yellow gold and diamond pendant;
8. One 14kt rose gold and diamond ring;
9. 14kt yellow gold and diamond linked ring;
10. One white gold and diamond link-style ring;
11. One 14kt yellow gold and diamond ring;
12. One 10kt large rope chain;
13. One 14kt yellow gold and diamond pharaoh pendant;
14. One 10kt yellow gold and diamond pendant;
15. One men's 14kt yellow gold and diamond ring;
16. One 10kt yellow gold and diamond pendant on 10kt yellow gold chain;
17. One 14kt yellow gold and diamond cross pendant on 14kt yellow gold chain;
18. One 10kt yellow gold and diamond ram pendant on chain;
19. One 14kt yellow gold and diamond Seahawks pendant on 10kt yellow gold chain;
20. One 10kt yellow gold and diamond high-heeled shoe pendant on 10kt yellow gold chain;
21. One 10kt yellow gold and diamond enameled Air Jordan shoe pendant on 10kt yellow gold chain;
22. One 14kt yellow gold and diamond ash holder on 14kt yellow gold chain;
23. One 10kt yellow gold and diamond razor blade pendant on 10kt yellow gold chain;
24. One 10kt yellow gold and diamond wing-shape ring;
25. One 10kt white gold and diamond necklace;

26. One 10kt white gold and diamond large linked chain;
27. One 10kt white gold and diamond Highway 101 pendant;
28. One 10kt white gold and black and white diamond necklace;
29. One 10kt yellow gold and diamond pendant on 14kt yellow gold chain;
30. One 14kt white gold and diamond face of Jesus pendant; and
31. One 14kt yellow gold and diamond rope chain.

The Court, having reviewed the United States' Motion, as well as the other papers and pleadings filed in this matter, hereby FINDS that entry of a Preliminary Order of Forfeiture is appropriate because:

- The above-identified property is forfeitable pursuant to 21 U.S.C. § 853(a), as proceeds of and/or facilitating property for Defendant Mantie's Conspiracy to Distribute Controlled Substances, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 846; and,
- Pursuant to the Plea Agreement he entered on May 28, 2021, Defendant Mantie agreed to forfeit his interest in the above-identified property, which is subject to forfeiture pursuant to 21 U.S.C. § 853(a). Dkt. No. 689, ¶ 11.

NOW, THEREFORE, THE COURT ORDERS:

1. Pursuant to 21 U.S.C. § 853(a) and his Plea Agreement, Defendant Mantie's interest in the above-identified property is fully and finally forfeited, in its entirety, to the United States;
2. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)-(B), this Preliminary Order will be final as to the Defendant at the time he is sentenced, it will be made part of the sentence, and it will be included in the judgment;

3. The United States Department of Justice, and/or its authorized agents or representatives, shall maintain the above-identified property in its custody and control until further order of this Court;

4. Pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n), the United States shall publish notice of this Preliminary Order and its intent to dispose of the property as permitted by governing law. The notice shall be posted on an official government website—www.forfeiture.gov—for at least thirty (30) days. For any person known to have alleged an interest in the property, the United States shall also, to the extent possible, provide direct written notice to that person. The notice shall state that any person, other than the Defendant, who has or claims a legal interest in the property must file a petition with the Court within sixty (60) days of the first day of publication of the notice (which is thirty (30) days from the last day of publication), or within thirty (30) days of receipt of direct written notice, whichever is earlier. The notice shall advise all interested persons that the petition:

- a. shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property;
- b. shall be signed by the petitioner under penalty of perjury; and
- c. shall set forth the nature and extent of the petitioner's right, title, or interest in the property, as well as any facts supporting the petitioner's claim and the specific relief sought.

5. If no third-party petition is filed within the allowable time period, the United States shall have clear title to the property, and this Preliminary Order shall become the Final Order of Forfeiture as provided by Fed. R. Crim. P. 32.2(c)(2);

6. If a third-party petition is filed, upon a showing that discovery is necessary to resolve factual issues presented by that petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure before any hearing on the petition is held. Following adjudication of any third-party petitions, the Court will enter a Final

1 Order of Forfeiture, pursuant to Fed. R. Crim. P. 32.2(c)(2) and 21 U.S.C. § 853(n),
2 reflecting that adjudication; and

3 7. The Court will retain jurisdiction for the purpose of enforcing this
4 Preliminary Order, adjudicating any third-party petitions, entering a Final Order of
5 Forfeiture, and amending the Preliminary Order or Final Order as necessary pursuant to
6 Fed. R. Crim. P. 32.2(e).

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8 IT IS SO ORDERED.

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10 DATED this 27th day of August, 2021.

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13 RICARDO S. MARTINEZ
14 CHIEF UNITED STATES DISTRICT JUDGE
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18 Presented by:

19
20 /s/ Krista K. Bush

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